

**UNITED STATES DISTRICT COURT
OFFICE OF THE PROBATION OFFICER
EASTERN DISTRICT OF TENNESSEE**



PETITION FOR WARRANT FOR OFFENDER UNDER SUPERVISION

Name of Offender: Jasper Michael Wagner . **Docket Numbers:** 1:01-CR-115, 1:01-CR-196,
1:01-CR-204, 1:02-CR-39,
1:02-CR-40, and 1:02-CR-46

Name of Sentencing Judicial Officer: The Honorable R. Allan Edgar
United States District Court Judge

Date of Original Sentence: June 24, 2002

Original Offense: Bank Robbery (Six Separate Cases)

Class: C Felonies

Criminal History Category: IV

Original Sentence: The defendant was sentenced to the custody of the Bureau of Prisons for a total term of 120 months on each count, to be served concurrently, to be followed by a supervised release term of three (3) years on each count to run concurrently. The following special conditions of supervised release were imposed: 1) Restitution in the amount of \$59,048.00, 2) provide access to any requested financial information, 3) not incur new credit charges or open additional lines of credit, 4) substance abuse testing and treatment, 5) mental health treatment, 6) cooperate in collection of DNA.

Type of Supervision: Supervised Release

Date Supervision Commenced: March 22, 2010

Date Supervision Expires: March 21, 2013

Assistant U.S. Attorney: Tammy Owens Combs

Defense Attorney: Anthony Martinez

Revocation Guideline Range: 12-18 Months

Statutory Maximum: 2 Years

PETITIONING THE COURT

The probation officer believes that the offender has violated the following condition(s) of supervision:

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

PAGE 2

Name of Offender: Jasper Michael Wagner . **Docket Numbers:** 1:01-CR-115, 1:01-CR-196,
1:01-CR-204, 1:02-CR-39,
1:02-CR-46, and 1:02-CR-40

Violation Number **Nature of Noncompliance**

I **General Condition:** The defendant shall not commit another federal, state or local crime.

On December 9, 2010, Officer Terrance Tumlin with the Hamilton County Sheriff's Department signed an Affidavit of Complaint which charges Jasper Wagner with Felony Theft Over \$1,000 (Auto), Complaint Number 10-119705, and a warrant was signed this same date for his arrest. Mr. Wagner has not been arrested on this charge.

This officer spoke with the victim, Steven Hagerman, and he stated that he had a vehicle for sale. Jasper Wagner came to look at the vehicle and wanted to test drive the automobile. Mr. Hagerman obtained a copy of Mr. Wagner's driver's license and a Regions bank card. Mr. Wagner took the automobile for a test drive and never returned the car to Mr. Hagerman. Mr. Hagerman stated that Mr. Wagner informed him that he (Wagner) worked as a subcontractor for All American Taxi and that he resided in Hixson, Tennessee.

Theft Over \$1,000 is a felony offense under TCA § 39-14-105 and is a Class D Felony punishable by not less than two years nor more than 12 years imprisonment.

II **Standard Condition #2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

III **Standard Condition #5:** The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training or other acceptable reasons.

IV **Standard Condition #6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

On December 10, 2010, Mr. Wagner failed to report for a urinalysis as instructed. This officer attempted to contact Mr. Wagner on his cellular telephone on December 13, 2009; however, the message indicated the number had been disconnected. This officer called his employer, All American Taxi, and the owner, Mr. Vanhouser, informed this officer that Mr. Wagner quit his job with their company about six weeks ago, which was around November 5, 2010. Mr. Vanhouser stated that Mr. Wagner came in one day and stated he was not making enough money and that he would not be returning to work. They thought Mr. Wagner was joking; however, he never showed back up for work after that day. They have not heard from Mr. Wagner since that date. Mr. Wagner

PROB12C(REVOKE) - 12/2006

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

PAGE 3

Name of Offender: Jasper Michael Wagner . **Docket Numbers:** 1:01-CR-115, 1:01-CR-196,
1:01-CR-204, 1:02-CR-39,
1:02-CR-46, and 1:02-CR-40

did not notify this officer of his change in employment as required, and he is currently unemployed to this officer's knowledge.

This officer spoke with Mr. Wagner's mother and sister-in-law in South Carolina by telephone on December 13, 2010. They informed this officer that the last contact they had with Mr. Wagner was on December 9, 2010, at 1:00pm, and the contact was by way of a text message sent by Mr. Wagner.

On December 15, 2010, this officer attempted to make contact with Mr. Wagner at his residence. Mr. Wagner was not at home, so a business card was left on his door with instructions for him to report into the office no later than Friday, December 17, 2010, at 8:00 a.m. This officer also spoke with the next door neighbor who indicated that he had not seen Mr. Wagner in several days. Mr. Wagner did not report as instructed, and he has not contacted this officer regarding his whereabouts. Additionally, he failed to submit a Monthly Supervision Report for the month of November 2010, which was due between the first and fifth of December 2010. It is believed he has absconded from supervision.

On December 20, 2010, this officer received a call from Mr. Wagner's brother, Jerry Wagner, in South Carolina. He (Jerry) traveled to Chattanooga, Tennessee, on Friday December 17, 2010, in efforts to locate Jasper Wagner. Jerry went to Jasper's apartment and spoke with the neighbor who stated that Jasper Wagner had been at the apartment on Monday or Tuesday of last week. Jerry stated Jasper's vehicle was not at the apartment, so they believe he is on the run. They plan to return to the apartment the first of January 2011, to remove his belongings.

Assessment of Flight/Danger and Bond Recommendation:

Mr. Wagner's instant federal offenses involve bank robbery, with Mr. Wagner threatening one of the tellers by saying the location was rigged with explosives, and that if she did not do as instructed, the explosives would be set off. During several of the other bank robberies, there was a threat that Mr. Wagner had a gun and would use same if the tellers did not comply. He has failed to notify this officer of his change in employment or his current whereabouts, and his family believes he is on the run. He also has an outstanding warrant for Theft Over \$1,000 in Hamilton County which involves stealing an automobile. He has a long history of drug use, which he stated was one of the reasons he committed the instant offenses. Mr. Wagner is a risk of flight and is a serious danger to the community based on his past behavior. Bond is not recommended.

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

PAGE 4

Name of Offender: Jasper Michael Wagner . **Docket Numbers:** 1:01-CR-115, 1:01-CR-196,
1:01-CR-204, 1:02-CR-39,
1:02-CR-46, and 1:02-CR-40

Petitioning the Court to order:

That a **WARRANT** be issued and the defendant be ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 21, 2010.

Respectfully submitted,

s/ **Bobby J. Byars**

Bobby J. Byars
U. S. Probation Officer

APPROVED:

s/ **Janet F. Landers** **December 21, 2010**

Janet F. Landers Date
Supervising U.S. Probation Officer

ORDER OF COURT:

A **WARRANT** is to be issued and the defendant is ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked. This petition is to be placed under seal until the warrant has been executed by the U. S. Marshal's Service.

So ordered.

ENTER this the 21st day of December, 2010.

/s/ **R. Allan Edgar**

R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE